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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 JUAN CARLOS GARCIA,
12

13 Plaintiff,
14

15 v.

16 KILOLO KIJAKAZI,
17 Acting Commissioner of Social Security,¹

18 Defendant.
19

No. 1:21-cv-00018-EPG

STIPULATION TO VOLUNTARY REMAND
PURSUANT TO SENTENCE FOUR OF
42 U.S.C. § 405(g) AND TO ENTRY OF
JUDGMENT; ORDER

20 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned
21 attorneys, and with the approval of the Court, that the Commissioner of Social Security has
22 agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The
23 purpose of the remand is to offer Plaintiff a new decision.

24 On remand, the Commissioner will further develop the record as necessary, and issue a
25

26 ¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant
27 to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted,
28 therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to
continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42
U.S.C. § 405(g).

1 new decision. The parties further request that the Clerk of the Court be directed to enter a final
2 judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the
3 Commissioner.

4 Respectfully submitted this 10th day of June, 2022.

5 Respectfully submitted,

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7 PHILLIP A. TALBERT
United States Attorney

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9 By: s/ Oscar Gonzalez de Llano
OSCAR GONZALEZ DE LLANO
10 Special Assistant United States Attorney
Attorneys for Defendant

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12 Respectfully submitted,

13 Attorneys for Plaintiff

14 By: s/ Jonathan O. Pena*
Jonathan O. Pena, Esq.
15 Pena & Bromberg, Attorneys at Law
16 (*as authorized by email)

ORDER

Based upon the parties' stipulation (ECF No. 22), IT IS HEREBY ORDERED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the stipulation. The Clerk of the Court shall enter a final judgment in favor of Plaintiff and against Defendant, reversing the final decision of the Commissioner.

IT IS SO ORDERED.

Dated: **June 13, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE